

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Donna Farmer, *et al.*, :  
Plaintiffs, : Case No. 1:04-cv-080  
v. : District Judge Susan J. Dlott  
City of Cincinnati, *et al.*, : ORDER DENYING MOTION FOR  
Defendants. : SUMMARY JUDGMENT WITHOUT  
: PREJUDICE TO RE-FILING AND  
: SETTING DATES

This matter comes before the Court on Plaintiffs' Motion for Class Certification (doc. 85) filed on January 24, 2007 and Defendant City of Cincinnati's Motion for Summary Judgment (doc. 103) filed on October 15, 2007. By agreement of the parties and with leave of the Court, briefing on these motions has been delayed during an extended period of discovery.

On October 23, 2007, the City filed a Memorandum in Opposition to Plaintiffs' Motion for Class Certification. (Doc. 105.) On November 5, 2007, Plaintiffs filed an unopposed motion to extend to February 15, 2008 the deadlines for them to respond to the City's Motion for Summary Judgment and to file a reply brief supporting their Motion for Class Certification. (Doc. 108.) The Court granted the scheduling motion. (Doc. 109.) On January 4, 2007, the parties jointly moved to extend the deadline for discovery until February 4, 2008 and the deadline for filing cross-motions for summary judgment until March 31, 2008. (Doc. 112.) The Court again granted the extensions requested. (Doc. 113.)

The Court seeks to clarify any confusion remaining about the briefing schedule. The Court hereby **DISMISSES WITHOUT PREJUDICE TO RE-FILING** the City's pending Motion for Summary Judgment (doc. 103.) The Court further **ORDERS** that (1) the deadline for

both parties to file dispositive motions is March 31, 2008 and (2) the deadline for Plaintiffs to file a reply brief supporting their Motion for Class Certification (doc. 85) is March 31, 2008. The Court strongly urges the parties not to seek additional extensions of time for completing discovery or filing briefs.

IT IS SO ORDERED.

s/Susan J. Dlott  
Susan J. Dlott  
United States District Judge